

503 KAR 1:110. Department of Criminal Justice Training basic training: graduation requirements; records.

RELATES TO: KRS 15.330(1)(c), (f), 15.386(1), 15.404(1), 15.440(1)(d)

STATUTORY AUTHORITY: KRS 15.330(1)(c), (f), (h), 15.334(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15.330(1)(f) and (h) authorize the Kentucky Law Enforcement Council to approve law enforcement officers as having met the requirements for completion of law enforcement training and to promulgate administrative regulations to implement that requirement. This administrative regulation establishes requirements for graduation from the Department of Criminal Justice Training basic training course required for peace officer certification and participation in the Kentucky Law Enforcement Foundation Program Fund, and for maintenance of basic training records.

Section 1. Basic Training Graduation Requirements. To graduate from the department's basic training course, a recruit shall:

(1) Successfully complete a minimum of 754 hours of training, based upon the curriculum approved by the council in accordance with KRS 15.330 and 503 KAR 1:090;

(2) Attain a seventy (70) percent overall score on all graded training areas covered during the course for which a numerical score is assigned. A recruit who does not achieve a seventy (70) percent overall score shall be considered to have failed basic training;

(3) Pass all training areas covered during the course for which a pass or fail designation is assigned. A recruit who does not pass all pass or fail training areas shall be considered to have failed basic training; and

(4) Successfully complete all other assignments, exercises, and projects included in the course. After-hours assignments may be required, and shall be successfully completed in order to pass the training area for which they were assigned.

Section 2. Physical Training Requirements. A recruit who is required to complete basic training in order to fulfill the peace officer certification provisions established in KRS 15.380 to 15.404 shall meet the physical training entry and graduation requirements established in this section.

(1) Physical training entry requirements.

(a) Within five (5) days from the first date of the basic training course, the recruit shall successfully complete each of the following events as instructed and evaluated by qualified department instructors:

1. One (1) repetition maximum (RM) bench press equal to sixty-four (64) percent of the recruit's body weight;
2. Eighteen (18) sit-ups in one (1) minute;
3. 300 meter run in sixty-five (65) seconds;
4. Twenty (20) pushups; and
5. One and five-tenths (1.5) mile run in seventeen (17) minutes twelve (12) seconds.

(b) If a recruit passes all events when participating in the physical training entry test, he shall have met the physical training entry requirements.

(c) Retest. If a recruit fails to pass all events when participating in the physical training entry test:

1. He shall retest in the failed events no earlier than forty-eight (48) hours from the date of the entry test;
2. All failed events shall be retested on the same date;
3. If the recruit passes all previously failed events on the date of the retest, he shall have met the physical training entry requirements; and
4. If the recruit does not pass all previously failed events on the date of the retest, he shall be unqualified to participate in the department's basic training course for which he is currently enrolled, and may reapply to participate in a future department basic training course. The recruit shall receive no credit for the part of the basic training course which he has completed.

(2) Physical training graduation requirements.

(a) Within five (5) days from the final date of the basic training course, the recruit shall successfully complete each of the following events as instructed and evaluated by qualified department instructors:

1. One (1) repetition maximum (RM) bench press equal to seventy-three (73) percent of the recruit's body weight;
2. Eighteen (18) sit ups in one (1) minute;
3. 300 meter run in sixty-five (65) seconds;
4. Twenty-five (25) push ups; and
5. One and five-tenths (1.5) mile run in sixteen (16) minutes fifteen (15) seconds.

(b) If a recruit passes all events when participating in the physical training graduation test, he shall have met the physical training graduation requirements.

(c) Retest. If a recruit fails to pass all events when participating in the physical training graduation test:

1. He shall retest in the failed events no earlier than forty-eight (48) hours after the date of the graduation test, but not later than the last scheduled date of the basic training course;
2. All failed events shall be retested on the same date;
3. If the recruit passes all previously failed events on the date of the retest, he shall have met the physical training graduation requirements; and
4. If the recruit does not pass all previously failed events on the date of the retest, he shall be considered to have failed basic training.

(3) Physical training midpoint test. During week nine (9) of basic training, the recruits shall be administered the events of the physical training requirements for purposes of reporting their progress to their respective law enforcement agencies.

Section 3. Failure and Repetition of Basic Training. (1) Failure of Training.

(a) A recruit that is removed from basic training due to failure before reaching the beginning of week nine (9) shall:

1. Be required to repeat the entire basic training course; and
2. Pay all applicable fees for the repeated basic training course in accordance with 503 KAR 3:030.

(b) If a recruit fails basic training in week nine (9) through week eighteen (18):

1. He or she shall:
 - a. Be removed from the basic training class;
 - b. Reenter basic training in a subsequent class that has the first available vacancy; and
 - c. Start his or her training at the beginning of the training module that the recruit was in at the time of the failure;
2. In accordance with Section 6(2) of 503 KAR 3:030, the recruit's hiring agency shall prepay to the department the full tuition, room, and board costs of repeating the training module which was failed. The hiring agency may recover these costs of repeating the training module from its recruit; and
3. If the training module is successfully completed, the recruit shall continue with the remainder of the basic training course.

(2) Failure of the physical training graduation requirements. A recruit who fails the physical training graduation requirement in Section 2(2) of this administrative regulation:

- (a) Shall not graduate with his or her basic training class;
 - (b) Shall be permitted to retest with the very next basic training class; and
 - (c) Upon successful completion may graduate with that class.
- (3) A recruit who is permitted to return to basic training in accordance with this section and is removed due to failure a second time shall:
- (a) Be required to repeat basic training in its entirety; and

(b) Pay all costs of repeating the entire basic training course in accordance with 503 KAR 3:030

Section 4. Training Modules. (1) Basic training shall be divided into fourteen (14) different training areas on the following subjects:

- (a) Administration and testing;
- (b) Telecommunications (MDT);
- (c) Legal subjects;
- (d) Physical training;
- (e) Defensive tactics;
- (f) Patrol;
- (g) Vehicle operations;
- (h) Firearms;
- (i) Criminal investigation;
- (j) D.U.I./Field sobriety testing;
- (k) Breath testing;
- (l) Modular evaluation/testing;
- (m) First Aid/C.P.R./A.E.D.;
- (n) Homeland security.

(2) Basic training shall be divided into five (5) tested areas/modules:

- (a) I.;
- (b) II.;
- (c) III.;
- (d) IV.;
- (e) V.; and
- (f) VI.

(3) If a recruit is unable to complete basic training, but legally entitled to complete the unfinished tested modules of the course, the recruit shall restart at the beginning of the module which he or she was in when the recruit left basic training.

Section 5. Examinations. (1) A recruit shall be examined in the following six (6) areas of basic training:

(a) Area I: Five (5) academic tests;

(b) Area II:

1. Firearms, including:

- a. Day handgun;
- b. Night handgun;
- c. Shotgun; and
- d. Low-light shotgun qualification;

2. Performance driving evaluation, practical; and

3. Defensive tactics, which beginning with Class #324 shall include a:

- a. Skills test; and
- b. Pressure Point Control Tactics Management System (PPCT) written certification test;

(c) Area III:

1. Breath test, including:

- a. Practical examination; and
- b. Written examination; and

2. DUI detection, including:

- a. Practical examination; and
- b. Written examination;

(d) Area IV: American Red Cross certification in the following:

1. Professional rescuer CPR-automated external defibrillation; and

2. First aid;

(e) Area V: Mobile Data Terminal Certification; and

(f) Area VI: Practical exams.

- 1. Patrol practical exam; and
- 2. Investigations practical exam.

(2) A recruit shall be permitted one (1) reexamination in each of the six (6) areas of basic training.

(3) A recruit who fails an examination, other than defensive tactics or the patrol and investigations practical exams, shall not be reexamined:

(a) Earlier than forty-eight (48) hours from the original examination; or

(b) Later than:

1. Ten (10) days after the original examination. A recruit may submit a written request to the branch manager for an additional five (5) days in which to take the reexamination; and

2. The last scheduled day of the basic training course.

(4) Failure of a defensive tactics examination.

(a) If the failure occurs prior to the last scheduled day of defensive tactics training, the recruit shall not be reexamined earlier than the last scheduled day of defensive tactics training.

(b) If the failure occurs on the last scheduled day of defensive tactics training, the recruit shall not be reexamined:

- 1. Earlier than twenty-four (24) hours from the original examination; or
- 2. Later than the last scheduled day of the basic training course.

(5) A recruit shall be considered to have failed basic training if the recruit:

- (a) Fails a reexamination in accordance with subsection (2) of this section; or
- (b) Fails two (2) examinations in the same area of basic training.

Section 6. Absence. (1) A recruit may have excused absences from the course with approval of the director of the certified school or his designee.

(2) An excused absence from the course which causes a recruit to miss any of the 754 hours of basic training shall be made up through an additional training assignment.

Section 7. Circumstances Preventing Completion of Basic Training. (1) If a recruit is prevented from completing the basic training course due to extenuating circumstances beyond the control of the recruit, including injury, illness, personal tragedy, or agency emergency, he shall be permitted to

complete the unfinished areas of the course within 180 days immediately following the termination of the extenuating circumstance, if the:

- (a) Extenuating circumstance preventing completion of basic training does not last for a period longer than one (1) year; and
- (b) Failure to complete is not caused by a preexisting physical injury or preexisting physiological condition.

(2) If a recruit is prevented from completing the basic training course due to being called for active duty in the Kentucky National Guard or other branches of the United States Armed Forces, the recruit shall be permitted to complete the unfinished areas of the course within 180 days immediately following his or her return from active duty service.

Section 8. Termination of Employment while Enrolled. If, while enrolled in the basic training course, a recruit's employment as a police officer is terminated by dismissal and he is unable to complete the course, he shall complete the remaining training within one (1) year of reemployment as an officer. The recruit shall repeat basic training in its entirety if:

- (1) The break in employment exceeds one (1) year; or
- (2) The termination of employment is a result, directly or indirectly, of disciplinary action taken by the department against the recruit while enrolled in the basic training course.

Section 9. Maintenance of Records. (1) At the conclusion of each basic training course, the department shall, for each recruit who completes the course, complete and send the following forms to the council:

- (a) DOCJT Form 68-1 (Application for Training Credit);
- (b) DOCJT Form 29-1 (Agency Requests for Training); and
- (c) DOCJT Form 29-1PA (Agency Requests for Training - Pay Agency Form).

(2) The department shall send a copy of the DOCJT Form 68-1 to the:

- (a) Council for verification; and
- (b) DOCJT Records Section Supervisor.

(3) All training records required for fund purposes shall be retained by the department, but a copy of pertinent facts shall be sent to the fund administrator upon written request.

(4) All training records shall be:

- (a) Available to the council, the secretary, and the fund administrator for inspection or other appropriate purposes; and
- (b) Maintained in accordance with applicable provisions of KRS Chapter 171.

Section 10. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "DOCJT Form 68-1 - Application for Training Credit", 8/22/02
- (b) "DOCJT Form 29-1 - Agency Requests for Training", 10/20/06; and
- (c) "DOCJT Form 29-1PA - Agency Requests for Training - Pay Agency Form", 7/12/06.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Criminal Justice Training, Funderburk Building, Eastern Kentucky University, 521 Lancaster Road, Richmond, Kentucky 40475-3102, Monday through Friday, 8 a.m. to 4:30 p.m. (11 Ky.R. 1542; Am. 1776; eff. 5-14-85; 12 Ky.R. 1628; eff. 5-6-86; 16 Ky.R. 1982; 2412; eff. 5-13-90; 26 Ky.R. 1203; 2-14-2000; 27 Ky.R. 2574; 3083; eff. 5-14-2001; 29 Ky.R. 2340; 2883; eff. 6-16-03; 31 Ky.R. 1733; 32 Ky.R. 68; eff. 8-5-05; 953; 1395; eff. 3-3-06; 33 Ky.R. 2138; 2944; eff. 4-6-07.)